

ORIGINAL

**FILED**  
DISTRICT COURT OF GUAM

APR - 7 2006 qP

**MARY L.M. MORAN  
CLERK OF COURT**

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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF GUAM

10 UNITED STATES OF AMERICA, ) CIVIL CASE NO. 00-00050  
11 Plaintiff, )  
12 vs. )  
13 REYNOLD REBLUUD )  
aka RONALD REBLUUD )  
aka REYNOLD REBULD, )  
15 Defendant, )  
16 \_\_\_\_\_ )  
17 KUSAKABE GUAM INC., )  
18 Garnishee. )  
19 \_\_\_\_\_ )

**AMENDED  
NOTICE TO DEFENDANT-  
JUDGMENT DEBTOR ON HOW  
TO CLAIM EXEMPTIONS**

20 **AMENDED NOTICE TO DEFENDANT-JUDGMENT DEBTOR**  
21 **ON HOW TO CLAIM EXEMPTIONS FOR GUAM**

23 The attached pre-judgment or post-judgment process has been issued on request of the  
24 United States of America.

25 The law provides that certain property and wages cannot be taken. Such property is said  
26 to be exempted. This Notice lists the exemptions under federal law and your territory law. There  
27 is no exemption solely because you are having difficulty paying your debts.

28 //

If you claim an exemption, you should (i) fill out the claim for exemption form and (ii) deliver or mail the form to the clerk's office of this court and counsel for the United States. You have a right to a hearing within five business days, or as soon as practicable, from the date you file your claim with the court.

If the United States of America as creditor is asking that your wages be withheld, the method of computing the amount of wages which are exempt from garnishment by law is indicated on the Claim for Exemption Form which is attached. You do not need to file a claim for exemption to receive this exemption, but if you believe the wrong amount is being withheld, you may file a claim for exemption.

On the day of the hearing, you should come to court ready to explain why your property is exempted, and you should bring any documents which may help you prove your case. If you do not come to court at the designated time and prove that your property is exempt, you may lose some of your rights.

It may be helpful to you to seek the advice of an attorney in this matter.

DATED this 7th day of April, 2006.

LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam and the NMI

By:

~~MARIVIC P. DAVID~~  
Assistant U.S. Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) | CRIMINAL CASE NO. 00-00050      |
| Plaintiff,                | ) |                                 |
| vs.                       | ) |                                 |
| REYNOLD REBLUUD           | ) | <b>CLAIM FOR EXEMPTION FORM</b> |
| aka RONALD REBLUUD        | ) |                                 |
| aka REYNOLD REBULD,       | ) |                                 |
| Defendant,                | ) |                                 |
| <hr/>                     |   |                                 |
| KUSAKABE GUAM INC.,       | ) |                                 |
| Garnishee.                | ) |                                 |

**CLAIM FOR EXEMPTION FORM**

MAJOR EXEMPTIONS UNDER FEDERAL LAW

I claim that the exemption(s) from garnishment which are checked below apply in this case:

- 1. Social Security benefits and Supplemental Security income (42 U.S.C. § 407).
- 2. Veterans benefits (38 U.S.C. § 3101).
- 2a. Members of armed services (10 U.S.C. § 1440, 38 U.S.C. § 562).
- 3. Federal Civil Service Retirement benefits (5 U.S.C. § 8346 and 22 U.S.C. § 4060(c)).
- 4. Annuities to survivors of federal judges (28 U.S.C. § 376(n)).
- 5. Longshoremen and Harborworkers Compensation Act (33 U.S.C. § 916).
- 6. Black lung benefits (30 U.S.C. §§ 931(b)(2)(F) and 932(a)).
- 6a. Seaman's master's or fisherman's wages, except for child support or spousal support and maintenance (46 U.S.C.A. §§ 1108-1109(a-c)).

Exemptions listed under 1 through 6 above may not be applicable in child support and alimony cases (42 U.S.C. § 659).

- \_\_\_\_ 6b. Railroad retirement, pension, unemployment benefits (45 U.S.C. §§ 231(m), 352(e)).
- \_\_\_\_ 7. **Bankruptcy Code** (Title 11, United States Code) which generally provides exemptions for:
  - \_\_\_\_ 7a. \$18,450.00 of equity in a residence.

| <u>Address of Residence</u> | <u>Fair Market Value</u> | <u>Liens</u> | <u>Equity</u> |
|-----------------------------|--------------------------|--------------|---------------|
| _____                       | \$ _____                 | \$ _____     | \$ _____      |
| _____                       | \$ _____                 | \$ _____     | \$ _____      |

- \_\_\_\_ 7b. \$2,950.00 of equity in a motor vehicle.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

- \_\_\_\_ 7c. \$1,225.00 in jewelry.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

- \_\_\_\_ 7d. \$9,850.00 in personal property. (However, no single item worth more than \$475.00 can be claimed as exempt.)

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

- \_\_\_\_ 7e. Property totalling up to \$975.00, plus up to \$9,250.00 of any unused amount of the exemption provided in number 7(a) above.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

- \_\_\_\_ 7f. \$1,850.00 of equity in professional books, implements or tools, your trade or you dependent's trade.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

- \_\_\_\_ 7g. Any unmatured life insurance contract you own, other than credit life insurance.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

- \_\_\_\_ 7h. The aggregate value, up to \$9,850.00, of any accrued dividend or interest under, or loan value of, any unmatured life insurance contract you own, but only if you are the insured or you are a dependant of the insured.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

\_\_\_ 7i. Professionally prescribed health aids for you or your dependants.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

\_\_\_ 7j. Unemployment compensation benefits, local public assistance benefits, disability benefits, illness benefits; and alimony, support and separate maintenance, to the extent these items are reasonably necessary for your support or the support of your dependants.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

\_\_\_ 7k. A payment under a stock bonus, pension, profit-sharing, annuity, or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for your support or the support of your dependants, subject to the limitations set forth at Title 11 United States Code Section 522(d)(10)(E)(i)-(iii).

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

\_\_\_ 7l. Your right to receive, or property that is traceable to,  
- an award under a crime victim's reparation law;  
- a payment on account of the wrongful death of an individual of whom you were a dependant, but only to the extent of reasonably necessary for your support or the support of your dependants;  
- a payment under a life insurance contract that the insured an individual of whom you were a dependant on the date of the insured's death, but only to the extent reasonably necessary for your support or the support of your dependants;  
- a payment, not to exceed \$18,450.00, on account of personal bodily injury suffered by you or by an individual of whom you are a dependant; however, payment for pain and suffering or payment to compensate actual pecuniary loss are not exempt under this paragraph;  
- a payment in compensation of loss of your future earnings or the future earnings of an individual of whom you are, or were, a dependant, but only to the extent reasonably necessary for your support or the support of the your dependants.

Property Claimed: \_\_\_\_\_  
Fair market Value \$ \_\_\_\_\_

**NOTE:** If you have selected the Bankruptcy Code exemptions (Line 7 above), you may not also claim the exemptions listed below.

#### **MAJOR EXEMPTIONS UNDER THE TERRITORY OF GUAM**

**NOTE:** If you select the exemptions available under territorial law, the law of the territory or state while you have been domiciled for the greater part of the last 180 days governs your rights.

Relevant Territorial law provisions pursuant to 7 G.C.A. § 21333 allow the following exemptions:

— 9. **Debtor's Homestead**

| <u>Address of Residence</u> | <u>Fair Market Value</u> | <u>Liens</u> | <u>Equity</u> |
|-----------------------------|--------------------------|--------------|---------------|
| _____                       | \$ _____                 | \$ _____     | \$ _____      |
| _____                       | \$ _____                 | \$ _____     | \$ _____      |

— 10. **Personal Property** - Necessary household goods, table and kitchen furniture. Necessary clothing valued at \$50.00 and provision for three months. A fishing boat and net valued at \$50.00. A cow and its calf, two sows and their suckling pigs, fifteen hens and three roosters; and a one month supply of food for each animal. Articles of religious worship valued at \$25.00.

| Property Claimed: | Fair Market Value |
|-------------------|-------------------|
| _____             | \$ _____          |
| _____             | \$ _____          |

— 11. **Trade/Farming Implements** - Farming utensils valued at \$50.00. A beast of burden (e.g., horse, carabao or ox) with one cart together valued at \$150.00 used in the ordinary course of business; also one month supply of food for such beast and grain or vegetables for planting or sowing within six months valued at \$25.00.

| Property Claimed: | Fair Market Value |
|-------------------|-------------------|
| _____             | \$ _____          |
| _____             | \$ _____          |

— 12. **Tools of the Trade** = Professional libraries or lawyers, judges, clergymen, doctors and preachers valued at \$250.00. Necessary tools of mechanic/artisan valued at \$25.00

Amount Claimed: \$ \_\_\_\_\_

— 13. **Cemeteries and Burial Funds** - Gravestones

| Property Claimed: | Fair Market Value |
|-------------------|-------------------|
| _____             | \$ _____          |
| _____             | \$ _____          |
| _____             | \$ _____          |

\_\_\_\_ 14. **Wages/Salary** - Necessary earnings of debtor rendered within thirty days next preceding the levy of execution or attachment.

Amount Claimed: \$ \_\_\_\_\_

\_\_\_\_ 15. **Military Equipment** - Arms, uniforms and accouterments for Guam militia.

| Property Claimed: | Fair Market Value |
|-------------------|-------------------|
| _____             | \$ _____          |
| _____             | \$ _____          |
| _____             | \$ _____          |

\_\_\_\_ 16. **Child Support and Separate Maintenance** - Child support money received.

Amount Claimed: \$ \_\_\_\_\_

\_\_\_\_ 17. **Pensions and Retirement Benefits** - Pensions payable by the U.S., Government of Guam, and private retirement plans.

Amount Claimed: \$ \_\_\_\_\_

The statements made in this claim of entitlement to exemptions and the fair market value of the property designated are made and declared under penalty of perjury that they are true and correct.

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Defendant's printed or typed name